

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

Priority Mail parcel postal tracking number 9114 9011 8986 6471
2935 39, postmarked January 27, 2014, weighing 13 pounds 9 ounces,
addressed to Darlene Choate, 5118 Leona Drive Apt 1, Cincinnati,
OH 45238 with a return address of I.Q. Kidz, 7888 Marathon Drive,
Livermore, CA 94550

Case No.

1:14MJ -085

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail parcel postal tracking number 9114 9011 8986 6471 2935 39

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: Title 21

Code Section	Offense Description
841 (a) (1), 843 (b) & 846	Conspiracy to distribute a controlled substance
	Possession with intent to distribute a controlled substance

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector O'Neill

- ☒ Continued on the attached sheet.
☐ Delayed notice _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Karen L. O'Neill, U. S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 2/7/14



Judge's signature

City and state: Cincinnati, Ohio

Honorable Karen L. Litkovitz
United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
CINCINNATI, OHIO

STATE OF OHIO)
) SS
COUNTY OF HAMILTON)

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, KAREN O'NEILL, HAVING BEEN DULY SWORN, DEPOSE AND STATE: I am a United States Postal Inspector, having been so employed since March 2003. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the Postal Inspection Service with investigative responsibility for Southwest Ohio, Northern Kentucky, and Southeast Indiana. Part of my investigative responsibility involves the use of the United States Mail in the transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.

Your affiant has become aware that drug traffickers frequently use Express Mail, a business-oriented overnight service offered by the United States Postal Service, to transport narcotics and other dangerous controlled substances, and their proceeds or instrumentalities from the sale of the controlled substances. Your affiant has also become aware that drug traffickers frequently use Priority Mail with delivery confirmation, a 2-3 day service offered by the United States Postal Service. As a result of investigations and successful controlled substance prosecutions where the Mail was used, your affiant has learned of certain characteristics indicative of other Mail items previously identified as containing narcotics or other dangerous controlled substances, their proceeds or instrumentalities from the sale of the controlled substances. Some of these characteristics include, but are not necessarily limited to or used on every occasion, the mailer using different post offices on the same day to send parcels, false or non-existent return address, addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanating from the package, and the listed address is located in an area of known or suspected drug activity.

On January 29, 2014, your affiant requested a check in a postal system for incoming parcels going to southern Ohio. Priority Mail parcel postal tracking number 9114 9011 8986 6471 2935 39 and Priority Mail parcel postal tracking number 9114 9012 3080 1079 6971 08 were located coming from northern California; a known drug source area.

On January 29, 2014, your affiant contacted the post offices of delivery for each parcel. Your affiant requested to be contacted when the parcels arrived for delivery.

On January 30, 2014, your affiant was contacted by the manager of the Western Hills Post Office regarding Priority Mail parcel postal tracking number 9114 9011 8986 6471 2935 39. The parcel is addressed to Darlene Choate, 5118 Leona Drive Apt 1, Cincinnati, OH 45238 with a return address of I.Q. Kidz, 7888 Marathon Drive, Livermore, CA 94550. Your affiant requested the parcel be placed in a secure location for further investigation.

On January 31, 2014, your affiant contacted the Mt Healthy Post Office regarding the arrival of Priority Mail parcel postal tracking number 9114 9012 3080 1079 6971 08. The parcel is addressed to Amber Anderson, 7962 Clovernook Ave, Cincinnati, OH 45231 with a return address of Tri-Valley Orthopedic Inc, 4626 Willow Rd, Pleasanton, CA 94588. Your affiant requested the parcel be placed in a secure location for further investigation.

On January 31, 2014, your affiant received the aforementioned parcels.

The parcels are similar in size and weight and the handwriting on the labels is pictorially similar. The parcels were mailed approximately one hour apart from 2 different post offices.

Your affiant did a search of the business return addresses of both parcels. According to Google, they are both legitimate businesses except "I.Q. Kidz" is misspelled and the correct spelling is "I.Q. Kids".

On February 5, 2014, your affiant did a check in Accurint regarding the addressee address 5118 Leona Drive Apt 1, Cincinnati, OH 45238. Accurint is a law enforcement database that is used as a tool for investigators to identify person/business and address information. According to Accurint, the name "Choate" is not associated with that address.

On February 5, 2014, your affiant did a check in Accurint regarding the addressee address 7962 Clovernook Ave, Cincinnati, OH 45231. According to Accurint, the name "April Anderson" is associated with that address but your affiant was unable to locate an "Amber Anderson". Your affiant did a check in a law enforcement system for "April Anderson" and was unable to find any known aliases.

Your affiant contacted Tri-Valley Orthopedic Inc regarding Priority Mail parcel postal tracking number 9114 9012 3080 1079 6971 08 addressed to Amber Anderson, 7962 Clovernook Ave, Cincinnati, OH 45231. Your affiant spoke to the office manager and she stated that she did not believe anyone from their office shipped any parcels to Cincinnati, Ohio. She stated that they primarily ship with UPS and FedEx and they use printed labels, not handwritten like this parcel label. She also said that their complete business name is "Tri-Valley Orthopedic Specialists Inc".

Your affiant contacted I.Q. Kids regarding Priority Mail parcel postal tracking number 9114 9011 8986 6471 2935 39 addressed to Darlene Choate, 5118 Leona Drive Apt 1, Cincinnati, OH 45238. Your affiant spoke to the owner of the company. He stated that they did not mail any parcels to Cincinnati, Ohio. He also said that they relocated to San Diego, California and hasn't been at 7888 Marathon Drive, Livermore, CA 94550 since 2012.

On February 5, 2014, the Cincinnati Police Department Narcotics Unit was contacted to arrange for a narcotic canine to check the parcels. Officer Sean Woods responded to the Cincinnati Postal Inspection Service office, Cincinnati, Ohio where the parcels were placed in separate controlled area and presented to narcotic canine, "Dozer". "Dozer" alerted positively to the presence or odor of a controlled substance or their proceeds or instrumentalities upon Priority Mail parcel postal tracking number 9114 9011 8986 6471

2935 39 addressed to Darlene Choate, 5118 Leona Drive Apt 1, Cincinnati, OH 45238 and Priority Mail parcel postal tracking number 9114 9012 3080 1079 6971 08 addressed to Amber Anderson, 7962 Clovernook Ave, Cincinnati, OH 45231. Attached herewith, and made part hereof by reference, is a photocopy of the narcotic canine handler's record of examination.

Parcel #1 is further identified as follows: a brown cardboard box 14" x 14" x 14" in size, bearing postal tracking number 9114 9011 8986 6471 2935 39, weighing 13 pounds 9 ounces, postmarked January 27, 2014; see address information below:

Sender: I.Q. Kidz
7888 Marathon Drive
Livermore, CA 94550

Addressee: Darlene Choate
5118 Leona Drive Apt 1
Cincinnati, OH 45238

Parcel #2 is further identified as follows: a brown cardboard box 16 1/2" x 12 3/4" x 12 5/8" in size, bearing postal tracking number 9114 9012 3080 1079 6971 08, weighing 10 pounds 7 ounces, postmarked January 27, 2014; see address information below:

Sender: Tri-Valley Orthopedics Inc
4626 Willow Rd
Pleasanton, CA 94568

Addressee: Amber Anderson
7962 Clovernook Ave
Cincinnati, OH 45231

This information, along with the positive alert of narcotic canine "Dozer" is indicative of a drug package or its proceeds.

Based on the information contained herein, your affiant believes that contained in Priority Mail parcel postal tracking number 9114 9011 8986 6471 2935 39 and Priority Mail parcel postal tracking number 9114 9012 3080 1079 6971 08 is a quantity of a narcotic or other dangerous controlled substance, their proceeds or instrumentalities.

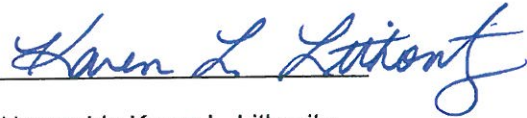
Therefore, a search warrant to open the parcel is requested.

Further, your affiant sayeth naught.



Karen O'Neill
Postal Inspector

Subscribed and sworn to and before me this 7 day of Feb., 2014.



Honorable Karen L. Litkovitz
United States Magistrate Judge



United States Postal Inspection Service

Pittsburgh Division

OFFICER AFFIDAVIT

I, Officer SEAN M. WOODS, am and have been employed by the CINCINNATI POLICE DEPT since 1/00. Among other duties, I am currently the assigned handler of narcotics detection canine "Dozer" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

MARIJUANA, METH, COCAINE, HEROIN

On 2-5-14, at the request of Postal Inspector K. O'Neill, I responded to

Cincy Postal Insp office, where "Dozer" did alert to and

indicate upon: [describe item]

Package 9114 9011 8986 6471 293539 addressed to
Dorlene Choate 5118 Leone Drive Apt 1 Cincinnati
OH 45238 with a return address IQ Rd 3 7888
Marathon Drive Livermore CA 94558

Which, based upon my training and experience and that of "Dozer", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

[Signature] 2-5-14
 (Signature and Date)

U Woods 2-5-14
 (Signature and Date)